

LRR/JJD/dab
07/13/00

SECTOR 8
PATENT APPLICATION

cket No.: 2506.1009-001 (SMI-13459pA)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: John G. Aceti, Marvin A. Leedom, Frederick Fritz, Derek D. Mahoney
John M. Margicin, Walter P. Sjursen, Michael H. Tardugno and David A. Preves

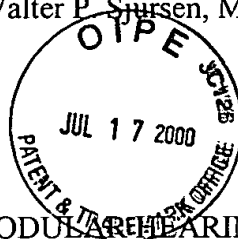
Application No.: 09/524,666

Group: 2743

Filed: March 13, 2000

Examiner: Not Assigned

For: DISPOSABLE MODULAR HEARING AID



| CERTIFICATE OF MAILING | |
|---|------------------------|
| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231 | |
| on <u>7-13-00</u> | <u>Donna Bartolone</u> |
| Date | Signature |
| <u>Donna Bartolone</u> | |
| Typed or printed name of person signing certificate | |

REPLY TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In reply to the Notice to File Missing Parts dated May 15, 2000, the following documents and fees are being submitted for filing in the captioned application:

- ☒ **EXECUTED DECLARATION/POWER OF ATTORNEY** - A copy of the Notice is attached.
(Separate transmittal letter and postcard not required)
- ☒ **FILING FEE** - with Fee Transmittal for Patent Applications in duplicate.
(Separate transmittal letter and postcard not required)
- ☒ **SURCHARGE** - surcharge fee of \$130.00.
(Separate transmittal letter and postcard not required)
- ☐ **SEQUENCE LISTING** - Filed concurrently and is attached.
(Separate transmittal letter and postcard required)



09/524,666

-2-

☐ **PETITION FOR EXTENSION OF TIME**

☐ Applicant hereby petitions to extend the time to respond to the Notice to File Missing Parts dated [] for [] month(s) from [] to [].
The appropriate fee of \$[] is included in the enclosed check.

☐ A [] month extension of time to respond to the Notice to File Missing Parts dated [] was filed on [] with payment of a \$[] fee.

☐ Applicant hereby petitions for an additional [] month extension of time to respond to the Notice to File Missing Parts. The appropriate fee of \$[] is included in the enclosed check.

(Separate Petition for Extension of Time and postcard not required)

☐ **REQUEST FOR CORRECTED FILING RECEIPT** - Filed concurrently and is attached.

(Separate transmittal letter and postcard required)

☐ **VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS**

☐ Was filed on [].

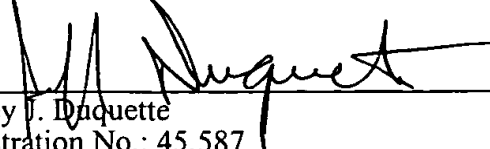
☐ Is enclosed herewith.
(Separate transmittal letter and postcard not required)

☐ In view of the small entity status of the captioned application, we hereby request a reimbursement of 50% of the filing fees in the amount of \$[] which were paid on [] to be deposited in Deposit Account No. 08-0380.

The fees required for filing the indicated documents are enclosed in the form of a check in the total amount of \$2656.00. Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,

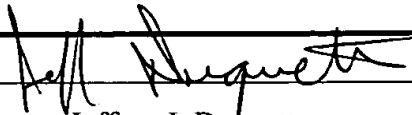
HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By 
Jeffrey J. Duquette
Registration No.: 45,587
Tel.: (781) 861-6240
Fax: (781) 861-9540

Lexington, Massachusetts 02421-4799

Date: July 13, 2000

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

| | | | | | |
|--|--|--|---------------------|---|------------------|
| FEE TRANSMITTAL FOR PATENT APPLICATIONS | | Attorney Docket Number | | 2506.1009-001 (SMI-13459pA) | |
| | | Application Number | | 09/524,666 | |
| | | First Named Inventor | | John G. Aceti | |
| CLAIM CALCULATION (includes any preliminary amendment) <div style="position: absolute; top: 0; right: 0; border: 1px solid black; border-radius: 50%; padding: 5px; text-align: center;"> OIPE JUL 17 2000 PATENT & TRADEMARK OFFICE '93 </div> | | | | | |
| CLAIMS | (1) FOR | (2) NUMBER FILED | (3) NUMBER EXTRA | (4) RATE | (5) CALCULATIONS |
| | TOTAL CLAIMS (37 CFR 1.16(c) or (j)) | 57 - 20* = | 37 | x \$ 18 = | \$ 666 |
| | INDEPENDENT CLAIMS (37 CFR 1.16(b) or (i)) | 18 - 3** = | 15 | x \$ 78 = | \$ 1170 |
| | MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d)) | | | + \$ 260 = | \$ |
| | | | | BASIC FEE (37 CFR 1.16(a) or (h)) | \$ 690 |
| | | | | Total of above Calculations = | \$ 2526 |
| | | | | Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27, 1.28) = | \$ |
| | | | | TOTAL = | \$ 2526 |
| | | | | Surcharge - Late Filing of Declaration or Filing Fees (37 C.F.R. 1.16(e)) = | \$ 130 |
| | | | | Petition for Extension of Time Fee (37 C.F.R. 1.17) = | \$ |
| | | | | Assignment Recordation Fee = (only when filed with application) | \$ |
| | | | | TOTAL = | \$ 2656 |
| * Reissue claims in excess of 20 and over original patent ** Reissue independent claims over original patent | | | | | |
| 1. Small entity status: <div style="margin-left: 40px;"> a. <input type="checkbox"/> A small entity statement is enclosed. b. <input type="checkbox"/> A small entity statement was filed in the prior non-provisional application and such status is still proper and desired. c. <input type="checkbox"/> Is no longer claimed. </div> | | | | | |
| 2. <input checked="" type="checkbox"/> A general authorization is hereby granted to charge deposit account number 08-0380 for any fees required under 37 CFR 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes. | | | | | |
| 3. <input checked="" type="checkbox"/> A check is enclosed for \$2656.00. <input type="checkbox"/> Please charge \$[] to Deposit Account No. 08-0380. | | | | | |
| 4. <input type="checkbox"/> Other: _____ | | | | | |
| Signature | |  Jeffrey J. Duquette | | Date | 7/13/00 |
| Submitted by Typed or Printed Name | | Jeffrey J. Duquette | | Reg. Number | 45,487 |

JTB

FORMALITIES LETTER



OC00000005116418

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark OfficeAddress: COMMISSIONER OF PATENT AND TRADEMARKS
Washington, D.C. 20231

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/524,666 | 03/13/2000 | John G. Aceti | SMI-13459pA |

Leo R Reynolds Esq
Hamilton Brook Smith & Reynolds PC
Two Militia Drive
Lexington, MA 02421-4799



Date Mailed: 05/15/2000

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 690 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$1680.
 - \$666 for 37 total claims over 20.
 - \$1014 for 13 independent claims over 3.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 2500.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

07/19/2000 AEDITOM 00000025 09524666

| | |
|-----------|------------|
| 01 FC:101 | 690.00 OP |
| 02 FC:105 | 130.00 OP |
| 03 FC:102 | 1170.00 OP |
| 04 FC:103 | 666.00 OP |